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10/552,106

10/03/2005

Hjalmar Edzer Ayco Huitema

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10/07/2009

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EXAMINER

TRAN, MY CHAU T

ART UNIT

PAPER NUMBER

2629

NOTIFICATION DATE

DELIVERY MODE

10/07/2009

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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|                              |                                      |                                       |  |
|------------------------------|--------------------------------------|---------------------------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>10/552,106 | <b>Applicant(s)</b><br>HUITEMA ET AL. |  |
|                              | <b>Examiner</b><br>MY-CHAU T. TRAN   | <b>Art Unit</b><br>2629               |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 15 June 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 17, 19-28 and 40-45 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 17, 19-22, 24-27 and 40-45 is/are rejected.
- 7) ☒ Claim(s) 23 and 28 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 October 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

**DETAILED ACTION**

***Application and Claims Status***

1. Applicant's amendment and response filed 06/15/2009 are acknowledged and entered.
2. Claims 17, 19-28, and 40-45 were pending. Applicants have amended claims 17, 20, 25, and 40-42. No claims were added and/or cancelled. Therefore, claims 17, 19-28, and 40-45 are currently pending. Claims 1-16 and 29-39 are drawn to non-elected species and/or inventions, wherein the election was made *without* traverse in the reply filed on 10/08/2008, and thus these claims remain withdrawn from further consideration by the examiner, 37 CFR 1.142(b), there being no allowable generic claim. Moreover, applicant has cancelled claims 1-16 and 29-39 by the amendment filed 10/29/2008. Accordingly, claims 17, 19-28, and 40-45 are under consideration in this Office Action.

***Status of Claim(s) Objection(s) and /or Rejection(s)***

3. All previous claims objection(s) and/or rejection(s) have been withdrawn in view applicant's arguments filed 06/15/2009, and/or amendments of claims 17, 20, 25, and 40-42 thereto.

***New Rejection(s) – Necessitated by Amendment***

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 17, 19-21, 24, 26, 40, 43, and 44 are rejected under 35 U.S.C. 102(b) as being anticipated by Miyashita (US Patent 6,327,482 B1).

For *claims 17, 19-21, 24, 26, 40, and 43*, Miyashita discloses a portable electronic device (see e.g. Abstract; col. 1, lines 37-46; figs. 1, 3A, 3B, 4A, 4B, and 6). In general, the device comprises an apparatus body (ref. #1) (refers to instant claimed housing), a main display (ref. #7) with a screen (ref. #7a) (refers to the first panel of the instant claimed two panels), and an auxiliary display (ref. #9) with a screen (ref. #9a) (refers to the second panel of the instant claimed two panels) (see e.g. col. 2, lines 10-36; figs. 1, 3A, 3B, 4A, 4B, and 6). Miyashita discloses that there are several ways in which the auxiliary display (ref. #9) can be attached to the apparatus body (ref. #1) (refers to at least one housing comprises a sub-housing for each separate panel) (see e.g. col. 2, lines 51-67; col. 3, lines 1-15; col. 4, lines 35-44; figs. 1, 3A, 3B, 4A, 4B, and 6). In one embodiment as illustrated by figures 1 and 6, the auxiliary display (ref. #9) is connected to the apparatus body (ref. #1) via the connector portion (ref. #8) that is formed on one side of the apparatus body (ref. #1) (refers to at least one of the sub-housings being provided with connection means enabling coupling and uncoupling a housed one of the two panels) (see e.g. col. 1, lines 25-36; col. 4, lines 36-44). This disclosure implies that the auxiliary display (ref. #9) of Miyashita can be removable and replaceable as claimed in claim 17 in which the recitation of “*such that said housed one of the two panels is removable and replaceable by a replacement panel*” can be interpreted to be an optional functional limitation of the instant claimed sub-housing, i.e. the instant claimed sub-housing may or may not include this functional

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limitation, and as a result here it is interpreted that the instant claimed sub-housing does include this functional limitation. As depicted by figures 3A and 3B, the auxiliary display (ref. #9) is connected to the apparatus body (ref. #1) via a hinge (ref. #9b), and a screen is mounted on the front (ref. #9c) and rear (ref. #9a) of the auxiliary display (ref. #9) (refers to instant claim 43) (see e.g. col. 2, lines 51-67). The hinge (ref. #9b) allows the auxiliary display (ref. #9) to rotate in a folded and unfolded positions (refers to instant claim 20) such that the screen (ref. #9a) can be in a closed and opened positions (refers to the instant claimed functional limitations of the panels, i.e. foldable and movable between the first position and second position; and instant claim 24) (see e.g. col. 2, lines 51-67; figs. 3A and 3B). As shown by figures 4A and 4B, in another embodiment the auxiliary display (ref. #9) is connected to the apparatus body (ref. #1) wherein the auxiliary display can be retracted and pull out of the storing portion (ref. #9d) (refers to instant claims 19 and 21) that is formed on the side of the apparatus body (ref. #1) (see e.g. col. 3, lines 1-15). Furthermore, Miyashita discloses that the device comprises a controller (ref. #16) that control both the main display (ref. #7) and the auxiliary display (ref. #9) (refers to instant claim 26) wherein the screen of ref. #7a and the screen of ref. #9a can display data different in kind or content (refers to instant claim 40) (see e.g. col. 37-50; col. 4, lines 13-44; figs. 2 and 6). Also as depicted in figure 6, the auxiliary display (ref. #9) can have a larger area than the main display (ref. #7) (see e.g. col. 4, lines 36-44).

For **claim 44**, Miyashita discloses a portable electronic device (see e.g. Abstract; col. 1, lines 37-46; figs. 1, 3A, 3B, 4A, 4B, and 6). In general, the device comprises an apparatus body (ref. #1) (refers to instant claimed housing), a main display (ref. #7) with a screen (ref. #7a) (refers to the first panel of the instant claimed two panels), and an auxiliary display (ref. #9) with

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a screen (ref. #9a) (refers to the second panel of the instant claimed two panels) (see e.g. col. 2, lines 10-36; figs. 1, 3A, 3B, 4A, 4B, and 6). Miyashita discloses that there are several ways in which the auxiliary display (ref. #9) can be attached to the apparatus body (ref. #1) (refers to at least one housing comprises a sub-housing for each separate panel) (see e.g. col. 2, lines 51-67; col. 3, lines 1-15; col. 4, lines 35-44; figs. 1, 3A, 3B, 4A, 4B, and 6). In one embodiment as illustrated by figures 1 and 6, the auxiliary display (ref. #9) is connected to the apparatus body (ref. #1) via the connector portion (ref. #8) that is formed on one side of the apparatus body (ref. #1) (refers to at least one of the sub-housings being provided with connection means enabling coupling and uncoupling a housed one of the two panels) (see e.g. col. 1, lines 25-36; col. 4, lines 36-44). This disclosure implies that the auxiliary display (ref. #9) of Miyashita can be removable and replaceable as claimed in claim 17 in which the recitation of “*such that said housed one of the two panels is removable and replaceable by a replacement panel*” can be interpreted to be an optional functional limitation of the instant claimed sub-housing, i.e. the instant claimed sub-housing may or may not include this functional limitation, and as a result here it is interpreted that the instant claimed sub-housing does include this functional limitation. The hinge (ref. #9b) allows the auxiliary display (ref. #9) to rotate in a folded and unfolded positions such that the screen (ref. #9a) can be in a closed and opened positions (refers to the instant claimed functional limitations of the panels, i.e. foldable and movable between the first position and second position) (see e.g. col. 2, lines 51-67; figs. 3A and 3B). As shown by figures 4A and 4B, in another embodiment the auxiliary display (ref. #9) is connected to the apparatus body (ref. #1) wherein the auxiliary display can be retracted and pull out of the storing portion (ref. #9d) that is formed on the side of the apparatus body (ref. #1) (see e.g. col. 3, lines 1-15).

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Furthermore, Miyashita discloses that the device comprises a controller (ref. #16) that control both the main display (ref. #7) and the auxiliary display (ref. #9) (refers to instant claimed an interface between the electronic apparatus and the panel device) wherein the screen of ref. #7a and the screen of ref. #9a can display data different in kind or content (see e.g. col. 37-50; col. 4, lines 13-44; figs. 2 and 6). Also as depicted in figure 6, the auxiliary display (ref. #9) can have a larger area than the main display (ref. #7) (see e.g. col. 4, lines 36-44).

6. Claims 17, 19-22, 24-27, 40-42, 44, and 45 are rejected under 35 U.S.C. 102(b) as being anticipated by Wilcox et al. (US Patent Application Publication US 2002/0090980 A1).

For *claims 17, 19-22, 24-27, 40-42, and 45*, Wilcox et al. disclose a portable electronic device such as a cellular telephone or a personal digital assistant (PDA) with an internal screen and an external screen (see e.g. Abstract; sections: [0002], [0013], [0015], and [0023]; figs. 1, 2, and 6). The portable electronic device comprises an internal screen and an external screen (refers to instant claimed two panels) wherein the external screen can be attached to the portable electronic device via various means such as a universal serial bus (USB), a cable, a slide track, or by means in which the screen can be stored in a folded serpentine configuration or a scroll-like fashion (refers to instant claimed a) two panels being movable between a first position and a second position thereof; b) at least one housing comprises a sub-housing for each separate panel and at least one of the sub-housings being provided with connection means enabling coupling and uncoupling a housed one of the two panels such that said housed one of the two panels is removable and replaceable by a replacement panel; and instant claims 19, 20, 21, 24, 25, 40, and 45) (see e.g. sections: [0026]-[0028], [0034], [0035], [0037]-[0038], [0053]-[0058], and [0060];

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figs. 1-3 and 6). Moreover, it is art recognized that one type of cellular telephone is a foldable cellular telephone such that the internal screen of Wilcox et al. can perform the function of being foldable, and as a result, the internal screen and external screen of Wilcox et al. would read on the claimed limitation of “*the panels being foldable*”. The external screen differs from the internal screen base on size, resolution, function(s) such as touch screen, and/or type of display such as electronic ink (refers to instant claims 40-42) (see e.g. sections: [0025]-[0030], [0041], [0048]-[0051], and [0053]-[0058]). Wilcox et al. also disclose that the external screen comprises row and column drivers and separate controller (refers to instant claims 22, 26, and 27) (see e.g. sections: [0029]-[0030], [0033]-[0034], and [0060]).

For **claim 44**, Wilcox et al. disclose a portable electronic device such as a cellular telephone or a personal digital assistant (PDA) with an internal screen and an external screen (see e.g. Abstract; sections: [0002], [0013], [0015], and [0023]; figs. 1, 2, and 6). The portable electronic device comprises an internal screen and an external screen (refers to instant claimed two panels) wherein the external screen can be attached to the portable electronic device via various means such as a universal serial bus (USB), a cable, a slide track, or by means in which the screen can be stored in a folded serpentine configuration or a scroll-like fashion (refers to instant claimed a) two panels being movable between a first position and a second position thereof; b) at least one housing comprises a sub-housing for each separate panel and at least one of the sub-housings being provided with connection means enabling coupling and uncoupling a housed one of the two panels such that said housed one of the two panels is removable and replaceable by a replacement panel; and c) an interface between the electronic apparatus and the panel device) (see e.g. sections: [0026]-[0028], [0034], [0035], [0037]-[0038], [0053]-[0058],



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and [0060]; figs. 1-3 and 6). Moreover, it is art recognized that one type of cellular telephone is a foldable cellular telephone such that the internal screen of Wilcox et al. can perform the function of being foldable, and as a result, the internal screen and external screen of Wilcox et al. would read on the claimed limitation of “*the panels being foldable*”. The external screen differs from the internal screen base on size, resolution, function(s) such as touch screen, and/or type of display such as electronic ink (see e.g. sections: [0025]-[0030], [0041], [0048]-[0051], and [0053]-[0058]). Wilcox et al. also disclose that the external screen comprises row and column drivers and separate controller (see e.g. sections: [0029]-[0030], [0033]-[0034], and [0060]).

Therefore, the device of Wilcox et al. does anticipate the instant claimed invention.

#### ***Allowable Subject Matter***

7. Claims 23 and 28 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### ***Conclusion***

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after

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the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MY-CHAU T. TRAN whose telephone number is (571)272-0810. The examiner can normally be reached on Monday: 8:00-2:30; Tuesday-Thursday: 7:30-5:00; Friday: 8:00-3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard A. Hjerpe can be reached on 571-272-7691. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/MY-CHAU T. TRAN/  
Primary Examiner, Art Unit 2629

October 6, 2009